

1960

## c 420 Voters' Lists Act

Ontario

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## CHAPTER 420

## The Voters' Lists Act

## 1. In this Act,

Interpre-  
tation.(a) "board" means an election board established under  
*The Election Act*;R.S.O. 1960,  
c. 118(b) "judge" means the judge of the county or district  
court of the county or district and includes a junior  
or acting judge, but does not include a deputy  
judge;(c) "polling subdivision", "rural polling subdivision"  
and "urban polling subdivision" mean such polling  
subdivisions as defined in *The Election Act*;(d) "prescribed" means prescribed by this Act or by the  
regulations made under this Act;(e) "voter" means a person entitled to be a voter, or  
to be named in the voters' list as qualified to be a  
voter either at an election of a member of the  
Assembly or at a municipal election, as the case may  
be. 1951, c. 93, s. 1.

2.—(1) The Lieutenant Governor in Council may prescribe rules and forms of procedure for the purpose of better carrying out Parts I and II.

Rules and  
forms

(2) The forms in the Schedule to this Act may be modified or varied, but any such modification or variation is subject to the approval of the judge. 1951, c. 93, s. 2.

Forms

## APPLICATION OF PARTS

3.—(1) Part I applies to towns, villages, townships and, except as varied by Part II, to cities.

Application,  
Part I

(2) Part II applies to every city in which a by-law has been passed fixing separate dates for the return of the assessment rolls for each ward or division of a ward, as defined in the by-law.

Part II

(3) Where through accident, fire or otherwise a municipality has no assessment roll or voters' list prepared under Part I or II, the municipality shall for the purposes of this

Where list  
destroyed  
by fire or  
accident

Act be deemed to be a part of Ontario without municipal organization. 1951, c. 93, s. 3.

Fees and  
expenses  
paid by  
Province

4. The fees and expenses of the board, the revising officers and clerks, the clerks of municipalities and the clerks of the peace in connection with the revision of the lists for provincial elections under Part III are payable by the Province, and such fees and expenses shall be paid out of the Consolidated Revenue Fund to the persons entitled thereto upon the certificate of the chairman of the board and the Auditor of Criminal Justice Accounts. 1951, c. 93, s. 4.

Revising  
officer's  
decision  
final

5. The decision of the revising officer under Part III in regard to the right of any person to vote, or as to the right to enter on or strike from the lists the name of any person as a voter, is final. 1951, c. 93, s. 5.

Returning  
officer to  
act on  
receipt of  
telegram in  
lieu of actual  
receipt of  
writ  
R.S.O. 1960,  
c. 118

6. Notwithstanding any other provision in this Act or *The Election Act* or any regulations made under either of such Acts, a returning officer in any electoral district, on being advised by the Chief Election Officer by telegraph that a writ of election has been directed to him, shall forthwith commence his duties as prescribed by such Acts and regulations, without waiting until he actually receives the writ. 1951, c. 93, s. 6.

## PART I

### LIST OF VOTERS

List of  
voters

7.—(1) The clerk of each municipality, immediately after the return of the assessment roll in every year, shall make a correct list for each polling subdivision of the municipality (Form 1) of all persons appearing by the assessment roll or by the supplementary roll prepared by the assessor to be voters. 1951, c. 93, s. 7 (1); 1954, c. 102, s. 1 (1).

How  
made up

(2) The list shall be made up in the same order as the assessment roll is prepared in the municipality except where the council by resolution has directed that it be made up alphabetically. 1951, c. 93, s. 7 (2).

Where  
biennial  
elections

(3) Notwithstanding any other provision in this Act, the clerk of the municipality is not required to prepare a voters' list in any year in which a municipal election is not to be held.

Municipal  
electors  
only

(4) In the case of a person appearing by the assessment roll to be a voter at municipal elections but not at provincial elections, the clerk shall insert in the proper column opposite

the name of such person the letters "M.E.". 1954, c. 102, s. 1 (2).

(5) The name of the same person shall not be entered more than once on the list, except that in the case of a municipality divided into wards the name of the same person shall be entered upon the list as qualified to vote at municipal elections in every ward in which he is assessed for a sufficient amount to qualify him so to vote. 1951, c. 93, s. 7 (5); 1954, c. 102, s. 1 (3).

(6) Where a municipality is divided into polling sub-divisions, lists shall be made for each subdivision. 1951, c. 93, s. 7 (6).

(7) In the case of a person who is a municipal elector by reason of being the wife or husband of the person rated or entitled to be rated for land as provided by *The Municipal Act*, or by reason of being a farmer's daughter, farmer's sister or farmer's son's wife, the clerk shall insert the letters "M.F.N.C." opposite the name of such person in the proper column, meaning that such person is entitled to vote at municipal elections, but is not to be counted for the purpose of determining representation in the county council. 1951, c. 93, s. 7 (7); 1954, c. 102, s. 1 (4).

(8) Where the qualification of a person to be a voter at a municipal election is in respect of real property, the clerk shall insert in the proper column opposite the name of such person, the number of the lot or other proper description of the parcel of real property in respect of which such person is so qualified adding thereto, where the person is so qualified in respect of more than one lot or parcel, the words "and other premises".

(9) In the case of a person being a farmer's son or a farmer's daughter, the clerk shall insert opposite the name in the proper column the words "Farmer's Son" or "Farmer's Daughter" or the letters "F.S." or "F.D.", as the case may be.

(10) Where a ward is divided into polling subdivisions and it appears by the assessment roll that a person is assessed in each of two or more polling subdivisions for property sufficient to entitle him to be a voter at a municipal election, the clerk shall enter his name on the list for one subdivision only, and shall insert opposite his name the words "and other premises", and where to the knowledge of the clerk the person resides in one of the subdivisions, his name shall be entered on the list for that subdivision.



Where property partly in one subdivision and partly in another

(11) Where it appears by the assessment roll that a person is assessed for property within the municipality sufficient to entitle him to be a voter at a municipal election, but that the property lies partly within one subdivision and partly within another or others, the clerk shall enter the name of such person on the list of voters in only one of the subdivisions in which the property is situate, and add the words "Partly qualified in subdivision No. ....".

Entry in list of person assessed as freeholder or tenant

(12) Where the word "Owner" or the letter "O", or the word "Tenant" or the letter "T", appears in the assessment roll opposite the name of a person entitled to be entered on the list, such word or letter shall be placed opposite the name of such person. 1951, c. 93, s. 7 (8-12).

Entries of those qualified as jurors

(13) The clerk in making out the list shall, in a separate column provided for the purpose, insert the letter "J" in the list opposite the name of every person over twenty-one and under seventy years of age who by the roll appears to be qualified and liable to serve as a juror, and the list shall show at or near the end thereof the aggregate number of names of persons upon the list qualified to serve on juries, and in the case of municipalities divided into wards the list shall give the same information for each ward. 1951, c. 93, s. 7 (13); 1954, c. 102, s. 1 (5).

Entries of separate school supporters

(14) The clerk shall, in a separate column of the voters' list, insert the letter "S" opposite the name of every person who is shown on the assessment roll as a separate school supporter and also after the name of the wife or husband of every such person if the wife or husband is shown by the roll to be a Roman Catholic. 1951, c. 93, s. 7 (14).

Entry of P.O. address of voter

**8.—**(1) The clerk of every township, in making out the list, shall insert therein a schedule (Form 1) containing the name, numbered consecutively, of every post office which by the assessment roll appears as the address of any person on the list and shall, according to the form and in the proper column therefor, insert opposite the name of every voter entered on the list the consecutive number which according to the schedule is his post office address, so far as the address appears by the assessment roll or is within the knowledge or belief of the clerk, but no appeal or complaint, on the ground of any error, mistake or omission in or from the list in respect of any matter or thing directed to be inserted therein by this section, shall be made or allowed by or under this Act.

Entry of non-resident voter in polling subdivision other than where qualified

(2) Where it appears by the assessment roll of a township that a person who is not resident in the township is entered upon the assessment roll and assessed for sufficient property to entitle him to vote at municipal elections in the township,

such non-resident person at any time after the return of the assessment roll and before the reproduction of the voters' list by the clerk may give notice in writing, signed by him and verified by a statutory declaration, to the clerk requesting that his name be entered on the voters' list for some other polling subdivision in the township than that in which he is so assessed, and thereupon the clerk may enter the name of the non-resident person on the list for any other polling subdivision so designated and after the name shall enter the property in respect of which he is qualified to vote and the polling subdivision in which the property is situate. 1951, c. 93, s. 8.

9.—(1) Immediately after the clerk has made the list, and within thirty days after the return of the assessment roll, the clerk shall cause at least 175 copies of the list to be reproduced by mechanical means in pamphlet form, and immediately thereafter shall cause one of such copies to be posted up and kept posted up in a conspicuous place in his office, and deliver or mail fifteen copies to the clerk of the peace and one copy, Printing  
and dis-  
tribution  
of list

- (a) to the judge or senior judge of the county or district court of the county or district to which the municipality belongs for judicial purposes;
- (b) to the head and every member of the council of the municipality;
- (c) to the sheriff;
- (d) to every postmaster in the municipality;
- (e) to the secretary of every school board in the municipality;
- (f) to the clerk of the council of the county in which the municipality is situate;
- (g) to the registrar of deeds, if he has so requested in writing before the 1st day of July in the year;
- (h) to the clerk of the division court within whose division the municipality or any part thereof is situate, if he has so requested in writing before the 1st day of July in the year;
- (i) to the member of the House of Commons and of the Assembly for the electoral district in which the municipality or any part thereof is situate; and
- (j) to every other candidate for whom votes were given at the then last election of a member of the House of Commons and of the Assembly, respectively, for the electoral district in which the municipality or any

part thereof is situate, who has so requested in writing before the 1st day of July in the year. 1951, c. 93, s. 9; 1954, c. 102, s. 2.

Where  
assessment  
roll delayed

(2) Where the assessment roll of a municipality is not returned on or before the 1st day of October and there is not or will not be time after its return to complete the preparation and revision of the voters' list in accordance with the other provisions of this Act before the time set for the polling in the municipality, the clerk shall print, post up and distribute in accordance with subsection 1 the required number of copies of the voters' list as certified in the next preceding year, and the proceedings thereafter shall be the same as if the list so printed, posted up and distributed was a list prepared by the clerk in accordance with sections 7 and 8. 1952, c. 112, s. 1.

Certificate  
of clerk

**10.—**(1) Upon each of the copies of the list so delivered or mailed there shall be a certificate of the clerk (Form 2) stating that the list is a correct list of all persons appearing by the assessment roll to be voters at provincial and municipal elections and of all persons appearing by the assessment roll to be voters at municipal elections only, and that the letters "M.E." have been inserted in the proper column opposite the names of all persons appearing by the assessment roll to be voters at municipal elections only, and the certificate shall contain a clause calling upon all voters to examine the lists and to take immediate proceedings to have omissions or errors corrected according to law. 1954, c. 102, s. 3.

Endorse-  
ment of  
date

(2) Upon the outside or cover of each of the copies so sent shall be printed or written conspicuously the date of the posting up of the list thus:

"This list was posted up in the Clerk's Office on  
the.....day of....., 19.....".

1951, c. 93, s. 10 (2).

Posting up

**11.** Upon receipt of the copies of the list, the sheriff shall post up one copy in a conspicuous place in the court house, the clerk of the peace shall post up one copy in a conspicuous place in his office, and every postmaster shall post up one copy in a conspicuous place in his post office. 1951, c. 93, s. 11.

Notice of  
transmission  
and posting  
up of list

**12.** The clerk shall also forthwith cause to be inserted at least once in a newspaper published in the municipality, or, if none is published therein, in a newspaper having a general circulation in the municipality, a notice (Form 3) signed by him which shall state that he has delivered or transmitted the copies of the list as directed by this Act, and the date of



the first posting up of the list in his office, and the last day for entering appeals. 1951, c. 93, s. 12.

**13.—**(1) The list is subject to revision by the judge at the instance of any voter who complains that the names of voters have been omitted from the list or wrongly stated therein, or that the names of persons who are not entitled to be voters have been entered in the list, and the following provisions of this Part and of Part II, so far as they are applicable, apply to the revision of the list. 1954, c. 102, s. 4.

Revision  
of list  
by judge

(2) Upon the revision, the assessment roll is not conclusive evidence in regard to any matter.

Assessment  
roll not  
conclusive

(3) Upon the revision, no person is disentitled to have his name entered on the list by reason of his having omitted to make, sign or deliver any statement or affidavit required by *The Assessment Act*, or of his name not having been entered on the assessment roll.

Idem

R.S.O. 1960,  
c. 23

(4) The decision of the judge as to the right of any person to vote, or as to the right to enter on or strike from the list the name of any person as a voter, is final.

Judge's  
decision  
final

(5) In the case of a list for a town, village or township, the judge shall receive, as evidence in support of an application to have the name of a person entered on the list, the affidavit of such person or of some other person who has and deposes that he has personal knowledge of the matter set forth in the affidavit (Form 4), if the affidavit is made not earlier than the tenth day next preceding the last day for making complaints to the judge and is delivered to the clerk before the time for making complaints has expired. 1951, c. 93, s. 13 (2-5).

When  
evidence by  
affidavit  
receivable

**14.—**(1) Any voter whose name is entered on or who is entitled to have his name entered on the list has the right for all purposes of this Act, upon giving notice in writing (Form 5) within fourteen days after the clerk has posted up the list in his office, to apply, complain or appeal to have his own name or the name of any person corrected in, entered on or removed from the list.

Who may  
appeal or  
complain

(2) Any person who has acquired the qualification entitling him to vote at a municipal election before the time for giving the notice of appeal to the judge has expired shall be deemed to be a person entitled to be entered on the list, and if entered thereon he shall be entered also on the assessment roll and shall be assessed for his property if not already assessed therefor without any request on his part, and the judge and clerk, for the purpose of such assessment, have the powers and shall perform the duties mentioned in section 41. 1951, c. 93, s. 14 (1, 2).

Persons who  
have  
acquired  
qualification  
before time  
for giving  
notice has  
expired



Complaint  
that person  
named on  
list has lost  
qualification

(3) A person whose name is entered on the list and has, before the time for giving notice of appeal to the judge has expired, ceased to possess the qualification in respect of which his name was so entered, on complaint being duly made under section 16, shall be deemed to be wrongfully entered on the list and, subject to section 18, his name shall be removed therefrom. 1951, c. 93, s. 14 (3); 1954, c. 102, s. 5.

Proviso

(4) For the purpose of determining whether a person has acquired or has ceased to possess the qualification entitling him to vote at a municipal election for the purposes of this section, the assessment roll upon which the current voters' list is based shall be deemed not to have been returned. 1951, c. 93, s. 14 (4).

Powers of  
judge

**15.** The judge may, without a previous notice of appeal or complaint, on an application made by or on behalf of a person entered on the list, correct any mistake that appears to have been made in compiling the list in respect of the name, place of abode, qualification, or the local or other description of the property of a person entered on the list and with respect to whose right to be so entered an appeal or complaint is pending before the judge. 1951, c. 93, s. 15; 1954, c. 102, s. 6.

Proceedings  
on  
complaint

**16.—(1)** A voter making a complaint in respect of the list shall, within fourteen days after the clerk has posted up the list in his office, give to the clerk or leave for him at his residence or place of business notice in writing (Form 5) of his complaint.

Vacancy in  
office of  
clerk

(2) If the office of clerk is vacant, the notice may be given in like manner to the deputy clerk or to the head of the council of the municipality, and he shall perform all the duties of the clerk. 1951, c. 93, s. 16 (1, 2).

Procedure

(3) The proceedings thereafter by the judge, clerk and the parties respectively, and the powers and duties of the judge, clerk and other persons shall be the same, as nearly as may be, as in the case of an appeal from the court of revision under *The Assessment Act*, but no deposits shall be required. R.S.O. 1950, c. 93, s. 16 (3); 1952, c. 112, s. 2 (1).

R.S.O. 1960,  
c. 23

[NOTE.—See Forms 5-10.]

Allowances  
and expenses  
of judge

(4) The judge shall be paid by the municipality such allowances and expenses as may be prescribed by the Lieutenant Governor in Council. 1952, c. 112, s. 2 (2).

Distribution  
of list of  
appeals

(5) The clerk shall forthwith after posting up the list of appeals in his office deliver or send by registered mail one copy of the list to the judge, the clerk of the peace and each

of the persons described in clauses *b*, *i* and *j* of section 9. 1951, c. 93, s. 16 (4).

**17.—**(1) Any person may obtain from the county or district court of the county or district a subpoena (Form 11) or from the judge an order, requiring the attendance of a witness residing or served with the subpoena or order in any part of Ontario and requiring the witness to produce any papers or documents mentioned in the subpoena or order, and every witness served with the subpoena or order shall obey the same if his expenses according to the scale allowed in division courts are paid or tendered to him at the time of service.

(2) Any person in respect of the entry or omission of whose name a complaint is made shall, if resident within the municipality for or in which the court is held, upon being served with a subpoena or order obey the same without being tendered or paid his expenses, and the subpoena or order shall be deemed to have been sufficiently served,

(a) if the subpoena or order is served upon him personally; or

(b) where he has a known residence or place of business within the municipality, if a copy of the subpoena or order is left for him with some adult person at his residence or place of business; or

(c) where he has a known residence or place of business within the municipality, if a copy of the subpoena or order, at least six days before the sitting of the court, is sent to him by registered mail directed to him at the post office address contained in any affirmation made by him under *The Assessment Act*, and where no such affirmation has been made, directed to him at his last known post office address, and also by separate registered letter directed to the post office described as his post office in the voters' list unless the last-mentioned post office is his last known post office address, or in the case of cities, towns and villages if no post office is described for him in the voters' list, directed to the post office of such city, town or village; or

(d) where he is a farmer's son, if a copy of the order or subpoena is left for him with some person at the residence of the farmer whose son he is.

(3) If a person whose right to be a voter is the subject of inquiry does not attend in obedience to the subpoena or order, the judge, in the absence of satisfactory excuse being shown

Compelling  
attendance  
of witnesses

Compelling  
attendance  
of persons  
whose right  
is in  
question

R.S.O. 1960,  
c. 23

Penalty for  
non-attend-  
ance

for the non-attendance or of proof of right of the person to be a voter, may, on the ground of his non-attendance, strike his name off or refuse to enter his name on the list.

*Prima facie*  
evidence  
of certain  
facts

(4) The fact that the name of the person is entered on the last revised voters' list of the electoral district is *prima facie* evidence that he is a British subject and twenty-one years of age.

Number of  
names

(5) The names of any number of witnesses may be inserted in one subpoena or order. 1951, c. 93, s. 17.

When  
qualification  
incorrectly  
stated

**18.** If on complaint or appeal to strike off the name of a person on the list it appears that the qualification of the person is incorrectly set forth therein but that he has the qualification necessary to entitle his name to be entered on the list, the judge shall not strike off the name of the person but shall make such alterations in the list as are necessary to set forth the proper qualifications of the person, and in so doing may, if the letters "M.E." have been incorrectly inserted or omitted opposite the name, correct the error. 1951, c. 93, s. 18; 1954, c. 102, s. 7.

Time within  
which list  
to be  
revised

**19.** The judge shall so arrange and proceed and fix the sittings of the court that all the complaints shall be heard and determined and the list finally revised, corrected and certified within one month from the last day for making complaints. 1951, c. 93, s. 19; 1954, c. 102, s. 8.

Certifying  
list by  
clerk of the  
peace when  
no complaint  
made

**20.—(1)** If no complaint is made within fourteen days after the clerk has posted up the list in his office, he shall forthwith deliver or mail to the clerk of the peace his report (Form 12), and the clerk of the peace shall thereupon certify (Form 13) a sufficient number of copies of the list as being the last revised list of persons entitled to be voters at elections to the Assembly as well as at municipal elections, and if persons entitled to vote at municipal elections only in the municipality, to furnish one copy of the list,

- (a) to the judge;
- (b) to the clerk of the peace;
- (c) to the clerk of the municipality;
- (d) to every candidate for whom votes were given at the then last election of a member for the House of Commons and the Assembly, respectively, for the electoral district in which the municipality or any part thereof is situate, who has so requested in writing before the 1st day of July in the year. 1951, c. 93, s. 20 (1); 1954, c. 102, s. 9.



(2) The clerk of the peace shall retain one certified copy and shall deliver or mail one certified copy to each of the persons described in clauses *a*, *c* and *d* of subsection 1. 1951, c. 93, s. 20 (2). Certificate of clerk of the peace

**21.**—(1) If any complaint is made and allowed by the judge, he shall, immediately after the list has been finally revised, certify (Form 14) to the clerk a statement of the changes made by him in the list. Statement of changes made by judge

(2) The clerk shall thereupon prepare a sufficient number of copies of the statement of changes made by the judge to furnish one copy for each of the persons described in clauses *a*, *c* and *d* of subsection 1 of section 20, and shall, within one week after the revision has been made by the judge, deliver or mail such copies of the statement of changes, together with the certificate of the judge, to the clerk of the peace, and such statement shall be made out according to polling subdivisions and shall show the changes made in the list for each polling subdivision. Delivery of copies

(3) The clerk of the peace shall thereupon sign and certify (Form 15) such copies together with a copy of the voters' list received by him from the clerk and deliver or send by registered mail one copy to each of the persons described in clauses *a*, *c* and *d* of subsection 1 of section 20. Certificate of clerk of the peace on copies

(4) Instead of proceeding as provided in subsections 1, 2 and 3, the judge may direct the clerk to prepare a sufficient number of copies of the list as revised by the judge to furnish one copy for each of the persons described in clauses *b*, *c* and *d* of subsection 1 of section 20, and the clerk shall within one week after the revision has been made transmit or deliver such copies to the judge, and the judge shall thereupon sign and certify (Form 16) such copies and shall retain one and shall deliver or mail one copy to each of the persons described in clauses *b*, *c* and *d* of subsection 1 of section 20. 1951, c. 93, s. 21. Delivery and certification of copies of revised list

**22.** The clerk of the peace is entitled to remuneration at the rate of \$1 per copy for the services performed by him under subsection 2 of section 20 and subsection 3 of section 21, such remuneration to be paid by the municipality. 1951, c. 93, s. 22. Remuneration of clerk of the peace

**23.**—(1) After the list has been certified and before the nomination day at a municipal election, the judge may, upon the application of a voter, strike from the list the name of a person who has died since the list was certified, and for that purpose the certificate of the Registrar General is suffi- Striking off names of persons dying after revision



cient evidence of death, but if the identity of the person proved to be dead with the person whose name is sought to be struck off is disputed or open to reasonable doubt, proof of the identity shall be required.

Procedure

(2) The proceedings shall be the same as nearly as may be as those prescribed for the revision of the list, and the judge and the officers named in this Act have the same jurisdiction as in the case of proceedings to revise the list under this Act. 1951, c. 93, s. 23.

Correction  
of list  
after re-  
visions of  
assessment  
roll

**24.** If the assessment roll is not certified by the court of revision or revised by the judge before the time limited for the final revision, correction and certifying of the voters' list by the judge, and, upon appeal to the court of revision or to the judge, alterations are made in the assessment roll affecting the right of a person to be entered on the list, the court of revision shall forthwith after certifying the roll and the judge shall forthwith after revising the roll, make out and certify a list of such alterations and deliver it to the clerk who shall make corresponding changes in the certified copies of the revised list, and the judge shall initial the changes. 1951, c. 93, s. 24.

Effect of  
certified  
list

**25.** The certified list is final and conclusive evidence that all persons named therein, and no others, were qualified to vote at any municipal election at which such list was, or was the proper list to be, used except,

- (a) persons guilty of corrupt practices at or in respect of the election in question, or since the list was certified by the judge;
- (b) persons who, subsequent to the list being certified, have ceased to be qualified to vote at a municipal election in the municipality to which the list relates and who by reason thereof are, under *The Municipal Act*, disentitled to vote;
- (c) persons whose names are entered on the list under the authority of a certificate issued pursuant to subsection 7 of section 37 of *The Municipal Act*. 1951, c. 93, s. 25.

R.S.O. 1960,  
c. 249

Duty of  
municipality  
to provide  
room

**26.—(1)** The municipality within which a court is to be held shall provide a suitable and convenient place, properly furnished, heated and lighted, for the holding of the court, and in default thereof the judge may hold the court at such place in the county or district as he may deem proper, and if the court is held elsewhere than in the court house of the county or district, the occupant of the building in which it is

held may recover from the municipality the sum of \$5 for each day on which the building was used for the purpose of the court.

(2) Every court held in the county or district town shall be held in the court house, or in such other place as the judge deems proper. 1951, c. 93, s. 26. Courts in county towns

**27.** In all proceedings before the judge he has all the powers that belong to or might be exercised by him in the county court. 1951, c. 93, s. 27. Powers of judge

**28.** The clerk of every municipality is subject to the summary jurisdiction and control of the judge in the performance of his duty under this Act in the same manner as an officer of the county court is to the court. 1951, c. 93, s. 28. Clerk

**29.**—(1) The clerk is entitled to all reasonable disbursements necessarily incurred by him in the discharge of the duties imposed upon him under this Act and is also entitled to the following compensation: Remuneration of clerk in connection with complaints

1. For the name of every person entered in the list of complaints.....\$ .05
2. For every name entered in any necessary copy of the list of complaints..... .05
3. For every name entered or other correction made by the judge in the voters' list, and in every copy of the revised list..... .05
4. For every name in the statement of changes made by the judge in the list..... .05
5. For every necessary notice to any party complaining or complained against..... .15
6. For every mile necessarily and actually travelled by him in effecting service of a notice of appeal or complaint and in attendance at the hearing of complaints or appeals..... .08
7. For every day's attendance at the sittings of the court..... 5.00

(2) The assessor is entitled to all reasonable disbursements necessarily incurred by him in the discharge of the duties imposed upon him under this Act and to an allowance of \$5 per diem for every day's attendance at the court and to 8 cents for every mile necessarily and actually travelled by him to attend at the hearing of complaints or appeals. 1951, c. 93, s. 29. Remuneration of assessor

**30.**—(1) The judge has power to appoint a proper person to attend as constable at the sitting of the court, and the Appointment of constable

duties and powers of such person shall be as nearly as may be the same as those of a bailiff at a sitting of a division court.

Constable's  
fees

(2) The constable is entitled to the following compensation:

1. For every day's attendance.....\$4.00
2. For every service of any process or notice, including the receipt and return thereof, and all other duties connected therewith when allowed by the judge, a sum not exceeding 20 cents per mile one way for each mile necessarily and actually travelled to effect such service.

1951, c. 93, s. 30.

Payment  
of fees

**31.** The compensation to which the clerk, assessor and constable are respectively entitled shall be certified by the judge and paid to the clerk, assessor and constable respectively by the treasurer of the municipality upon the production and deposit with him of the judge's certificate. 1951, c. 93, s. 31.

Report by  
judges as to  
frauds, etc.

**32.** If the judge who holds the court is of the opinion that any person has contravened section 46 or 48, or that frauds in respect of the assessment or the list have prevailed extensively in the municipality, he shall report the same to the Attorney General with particulars as to names and facts. 1951, c. 93, s. 32.

Amend-  
ments

**33.** The judge may amend any notice or other proceeding upon such terms as he may think proper. 1951, c. 93, s. 33.

Substitution  
of new  
appellant

**34.** If an appellant or complainant dies or abandons his appeal or complaint or is found not to be entitled to be an appellant, the judge may in his discretion allow any other person who might have been an appellant or complainant to intervene and prosecute the appeal or complaint upon such terms as the judge may think proper. 1951, c. 93, s. 34.

Costs oc-  
casioned by  
errors

**35.—(1)** If errors are found in the voters' list on the revision thereof in the omission of names, the inaccurate entry of names or the entry of names of persons not entitled to vote and it appears to the judge that the assessor or clerk was blamable for any of the errors, the judge may order (Form 17) the assessor or clerk to pay all costs occasioned by such errors.

Order for  
payment by  
municipality

(2) In case of errors for which the court of revision is blamable, the judge may order the municipality to pay the costs occasioned by such errors.

Discretion  
of judge

(3) In all cases not provided for, the costs are in the discretion of the judge. 1951, c. 93, s. 35.



**36.** The costs to be allowed on any proceeding under this Act shall be according to the lowest scale of costs in an action in a division court. 1951, c. 93, s. 36. Scale of costs

**37.** An unsuccessful appellant or complainant is liable to pay the witness fees only, unless in the opinion of the judge the complaint or appeal is frivolous or vexatious or has not been made in good faith, in which case the judge may order the appellant or complainant to pay in addition any other costs allowed by section 36. 1951, c. 93, s. 37. Liability of appellant for costs

**38.** Payment of costs may be enforced by an execution (Form 18) against goods and chattels, to be issued from the division court of the division within which the municipality or part thereof is situate upon filing therein the order of the judge and an affidavit showing the amount at which the costs have been allowed and the non-payment thereof. 1951, c. 93, s. 38. Enforcing payment of costs

**39.—(1)** In order to facilitate uniformity of decision without the delay and expense of appeals, Reference to Court of Appeal

(a) a judge may state a case on any question arising or likely to arise and may transmit it to the Lieutenant Governor in Council who may immediately refer it to the Court of Appeal for the opinion of the court; or

(b) the Lieutenant Governor in Council may state a case on any such question to the Court of Appeal for the opinion of the court.

(2) Immediately upon receipt of the case, the court shall appoint a time and place for hearing argument, of which written notice shall be given by the Registrar of the Supreme Court posting up a copy of the notice in his office in Osgoode Hall, Toronto, at least ten clear days before the time appointed. Time and place of argument

(3) At the time appointed the court shall hear the argument by such of the counsel present as the court may think proper to hear, and shall certify to the Lieutenant Governor in Council the opinion of the court thereon, and the opinion shall be published forthwith in *The Ontario Gazette*, and a copy of the opinion shall forthwith be sent to the judge of every county and district court. 1951, c. 93, s. 39. Hearing

**40.** The Court of Appeal may also give an opinion on any question at the instance of a voter if the court sees fit, and the proceedings with respect thereto shall be, as nearly as may be, the same as upon a case referred; but the court or a judge thereof may require a deposit of money to cover the costs of Opinion at instance of voter



hearing the question argued by counsel and may require notice of the proceedings, or any of them, to be given to such person as the court or judge may direct. 1951, c. 93, s. 40.

Liability of persons added to roll on revision

R.S.O. 1960, c. 23

**41.** If a person who is found entitled to be a voter at municipal elections is not assessed or is insufficiently assessed, the judge shall enter the name of such person on the roll together with the other particulars required by *The Assessment Act* to be set opposite the name of the person assessed including the value of the property in respect of which the assessment is made, which shall be determined by the judge, and corresponding corrections shall be made by the clerk in the collector's roll. 1951, c. 93, s. 41.

Lists not vitiated by non-performance of clerk

**42.** The non-performance by the clerk of any of his duties under this Act within the times appointed shall not affect the validity of any list. 1951, c. 93, s. 42.

Summary application to enforce performance of duties

Application by voter

Proceedings by judge

**43.**—(1) If the clerk fails to perform any of his duties, the clerk of the peace shall forthwith apply summarily (Form 19) to the judge to enforce the performance thereof.

(2) The application may also be made by any voter.

(3) The judge shall require (Form 20) the clerk and any other person he sees fit to appear before him and produce the assessment roll and any documents relating thereto or to the list, and to submit to examination on oath, and may thereupon make such order and give such directions as he deems proper.

Liability of clerk for costs

(4) The clerk shall pay the costs of the proceedings unless on special grounds the judge otherwise orders, in which case the judge may direct how and by whom the costs are to be paid.

Clerk's liability to penalty

(5) The proceedings and order of the judge do not relieve the clerk from the penalty mentioned in section 44. 1951, c. 93, s. 43.

#### OFFENCES

Penalty for neglect of duties by clerk

**44.** Every clerk who omits, neglects or refuses to perform any of the duties hereinbefore required of him is guilty of an offence and on summary conviction is liable to a fine of \$200. 1951, c. 93, ss. 44, 49, *amended*.

Penalty for wilfully falsifying list

**45.** The wilful alteration of, omission from, incorrect entry in, or falsification of a certified list or copy thereof shall be an offence, and every clerk of a municipality, clerk of the peace or other person who commits such offence, or wilfully permits it to be committed, is guilty of an offence and on

summary conviction is liable to a fine of not less than \$500 and not more than \$2,000 and in addition may be imprisoned for a term of not more than three months. 1951, c. 93, ss. 45, 49.

**46.**—(1) No person shall be a party to any instrument or to any verbal arrangement whereby a colourable qualification is conferred or sought to be conferred upon himself or any other person in order to enable him to become a voter. Colourable transfer of property

(2) Every person who contravenes the provisions of this section, in addition to any other penalty prescribed in that behalf, is guilty of an offence and on summary conviction is liable to a fine of \$100. Penalty

(3) Every person who induces or attempts to induce another to commit an offence under this section is guilty of an offence and on summary conviction is liable to a like penalty. 1951, c. 93, ss. 46, 49. Procuring commission of offence

**47.** To prevent the creation of false votes, where a person claims to be assessed or to be entered or named in an assessment roll or claims that another person should be assessed, entered or named in an assessment roll so as to entitle him to be a voter, and the assessor has reason to suspect that the person claiming, or for or in respect of whom the claim is made, ought not to be so assessed, or so entered or named in the roll, the assessor shall make reasonable inquiries before assessing, entering or naming any such person in the assessment roll. 1951, c. 93, s. 47. Inquiries by assessor

**48.** Every person who wilfully and improperly enters or procures or causes to be entered the name of a person in an assessment roll, or assesses or procures or causes the assessment of a person at too high an amount, with intent to give to a person not entitled thereto either the right or an apparent right to be a voter, or who wilfully enters or procures or causes to be entered a fictitious name in an assessment roll, or who wilfully and improperly omits or procures or causes to be omitted the name of a person from the assessment roll, or assesses or procures or causes the assessment of a person at too low an amount, with intent to deprive a person of his right to be a voter, is guilty of an offence and on summary conviction is liable to a fine of \$200. 1951, c. 93, ss. 48, 49. Improper insertion of name in roll

**49.** A voter and an agent of a voter may, at all reasonable times and under reasonable restrictions, inspect and take copies of or extracts from assessment rolls, notices, complaints, applications and other documents and proceedings necessary or of use for carrying out the provisions of *The Municipal Act*, *The Assessment Act* or this Act, and the clerk for such purposes Right to inspect and copy assessment rolls, etc.

R.S.O. 1960, cc. 249, 23

shall accord all reasonable facilities consistent with the safety of the documents and the rights and interests of all persons concerned, and is in regard to such matters subject to the direction of the judge. 1951, c. 93, s. 50.

Fees for  
copies of  
list

**50.** The fees payable to the clerk of the peace and to the clerk of the municipality for furnishing copies of a list or any part of a list shall be those fixed by the Lieutenant Governor in Council. 1951, c. 93, s. 51.

## PART II

### PREPARATION OF WARD LISTS

Preparation  
of list  
where roll  
returned  
and revised  
by wards

**51.** Immediately after the return by the assessor of the assessment roll for any ward or division of a ward, and without waiting for the revision and correction of the roll by the court of revision or by the judge, the clerk of every city to which this Part applies shall prepare and cause to be reproduced the voters' list in the manner prescribed by Part I. 1951, c. 93, s. 52; 1954, c. 102, s. 10.

Posting up  
and distri-  
buting lists

**52.**—(1) Forthwith after the preparation and reproduction of the last of such lists, the clerk shall post up and distribute each of the lists for each ward or division in the manner prescribed by Part I, and forthwith after the clerk has posted up the lists in his office, he shall cause a notice to be inserted once a week for three weeks in such daily newspapers published in the city as may be directed by the judge, calling upon persons who are aware of errors or omissions in the lists, or of changes which have been rendered necessary by reason of the death or removal of any person named therein, or by reason of any person having acquired the necessary qualifications as a voter since the return of the assessment roll for any such ward or division of a ward to give notice of the same, and shall name a time and place at which the judge will hold a court for revising the lists for the whole city.

Time for  
making  
complaints

(2) The time for making complaints as to errors or omissions in the lists shall be within fourteen days after the first publication of the notice. 1951, c. 93, s. 53.

Time for  
final re-  
vision of  
lists

**53.** The judge shall so arrange and proceed and so fix the sittings of the court for hearing complaints against or in respect of the lists that the complaints will be heard and determined and the lists finally revised and certified in the manner provided by Part I before the day fixed for the nomination meeting. 1951, c. 93, s. 54.



**54.** If no complaint respecting any of the lists is received by the clerk within fourteen days after the first publication of the notice, the clerk shall apply forthwith to the judge to certify three copies of each of the lists as being the last revised list of voters for the ward or division and the judge shall certify such three copies and retain one and deliver or send by registered mail one to the clerk of the peace, and one to the clerk of the municipality, to be kept by him among the records of his office. 1951, c. 93, s. 55.

Certifying  
list where  
no complaint  
made

**55.** If any complaint is made as aforesaid with respect to any of the lists within such period, the judge shall proceed as provided by section 21, and sections 23 to 25 apply to the list prepared under this Part. 1951, c. 93, s. 56.

Procedure  
where  
complaint  
made

**56.** Subject to subsection 7 of section 37 of *The Municipal Act*, the lists as so revised, corrected and certified by the judge shall together form from time to time the last revised voters' list for the city within the meaning of this Act and *The Municipal Act*, and the date fixed by section 52 as the last day for making complaints to the judge shall be deemed to be the last day for making complaints to the judge within the meaning of any oath prescribed by that Act and such date shall be inserted in any such oath when the voting is upon a list prepared under this Part. 1951, c. 93, s. 57.

Effect of  
list as  
completed

R.S.O. 1960,  
c. 249

### PART III

#### PROVINCIAL LISTS IN URBAN POLLING SUBDIVISIONS

**57.** Every returning officer, forthwith after receipt of a writ of election, shall appoint in writing (Form 21) for each urban polling subdivision in the electoral district two persons to be enumerators of the voters in such subdivision and to prepare a list thereof, and shall require each of such persons to take the oath (Form 22). 1951, c. 93, s. 58.

Enumera-  
tors

**58.** Each enumerator shall exercise the utmost care in the preparation of the voters' list and the two enumerators appointed for each urban polling subdivision shall, with relation to each process in the preparation of the voters' list, act jointly and not individually, and in case of any disagreement they shall report the matter to the returning officer and in all respects are bound by his decision. 1951, c. 93, s. 59.

Enumera-  
tors to act  
jointly

**59.** The returning officer shall, as far as possible, select and appoint the two enumerators for each urban polling

Selection of  
enumera-  
tors



subdivision so that they represent two different and opposed political interests, as provided in section 60. 1951, c. 93, s. 60.

Nomination  
of enumera-  
tors

**60.**—(1) Forthwith after the issue of the writ for an election,

- (a) the person who apparently will be the candidate at the election of the political interest represented by the government of the day; and
- (b) the person who apparently will be the candidate at the election of a different and opposed political interest, the candidate for which, at the next preceding provincial election, received the highest number of votes or the next highest number of votes, as the case may be,

shall furnish to the returning officer lists of nominations for appointment as enumerators, but such lists may be furnished to the returning officer at any time after his appointment and may be revised from time to time up to twenty-four hours before the enumeration is to begin.

Failure to  
make nomi-  
nations

(2) If twenty-four hours before the enumeration is to begin the returning officer has received insufficient nominations to provide two enumerators representing two different and opposed political interests for each polling subdivision, he shall make such additional appointments as he deems necessary to enumerate the electoral district. 1954, c. 102, s. 11.

Enumera-  
tors'  
equipment

**61.**—(1) The returning officer shall supply each pair of enumerators with,

- (a) a copy of the last revised voters' list prepared pursuant to Part I;
- (b) a book of enumerators' record forms (Form 23);
- (c) a supply of notices of inability to obtain information for the purposes of registration; and
- (d) a supply of voters' list forms (Form 24). 1951, c. 93, s. 62 (1); 1954, c. 102, s. 12 (1).

Preparation  
of list

(2) The enumerators shall forthwith upon their appointment, by means of,

- (a) a joint house-to-house canvass;
- (b) a reference to the voters' list prepared pursuant to Part I; and
- (c) such other sources as may be available to them,

prepare a list, under headings of names of streets where possible and in the order of street numbers in subdivisions in which street numbering is in effect, and in alphabetical order in all other subdivisions, of all persons in the urban polling subdivision who are qualified to vote at the election. 1951, c. 93, s. 62 (2); 1954, c. 102, s. 12 (2).

(3) The name, address and occupation of every person entitled to be entered on the list shall at the time of visiting the dwelling place of such person be entered on an enumerators' record form which shall be signed by both enumerators, and a duplicate thereof shall be detached from the book and left at such dwelling place.

(4) In making the house-to-house canvass the enumerators shall visit every dwelling place in the urban polling subdivision and, unless they have ascertained from an occupant of each such dwelling place that no person residing therein remains unregistered, they shall visit such place,

(a) at least once between 9 a.m. and 6 p.m.; and

(b) at least once between 7 p.m. and 10 p.m.,

and where, upon making the last of such visits, the enumerators are unable to secure all the information necessary to register all persons residing therein who may be qualified to vote at the election, they shall leave at such dwelling place a notice of inability to obtain information for purposes of registration (Form 25). 1951, c. 93, s. 62 (3, 4).

**62.**—(1) The enumerators, immediately after the completion of the list and not later than four days from the date of their appointment, shall certify the urban polling subdivision list (Form 24) on oath and deliver it to the returning officer together with the book of enumerators' record forms used in the preparation of the list, and shall prepare at least six copies of such list so certified and shall forthwith post up one copy in the office of the returning officer, one copy in a conspicuous place in the urban polling subdivision for which the list was prepared, and one copy in the office of the clerk of the municipality, for public inspection, and the returning officer shall distribute one copy to each candidate.

(2) The returning officer, forthwith upon receipt of the list from the urban enumerators, shall cause it to be printed and such printing shall be completed not later than the eighth day before the sittings of the revising officer.

(3) The returning officer shall furnish twelve printed copies of the list for each urban polling subdivision to each candidate. 1951, c. 93, s. 63.

Registration  
and revising  
districts

**63.** Every returning officer, as soon as conveniently may be after the issue of a writ directed to him for the holding of an election, shall group together the urban polling subdivisions in the electoral district into as many combined registration and revising districts as circumstances require, subject to the approval of the board, and shall prepare descriptions of the boundaries of such districts. 1951, c. 93, s. 64.

Revising  
officer,  
appoint-  
ment

**64.**—(1) The board shall appoint, from among its number, revising officers to hold sittings in the electoral district in which an election is to be held for the registration of voters and the revision of the lists for the urban polling subdivisions.

Idem

(2) Wherever practicable, the revising officer so appointed shall be the judge or one of the judges of the county or district court or the acting judge of the court; but where the county forms part of a district formed under *The County Judges Act*, a judge of any county included therein may be appointed revising officer. 1951, c. 93, s. 65.

R.S.O. 1960,  
c. 77

Where  
judge not  
available

**65.** Where, owing to the number of sittings to be held or from any other cause, the board finds it impracticable for a judge to act as revising officer, the board may appoint one of its own number, being a barrister of at least five years standing, a magistrate, or some other fit and proper person having the like qualification, to act as revising officer. 1951, c. 93, s. 66.

Clerks to  
revising  
officer,  
appointment

**66.** The board shall appoint one or more clerks to any revising officer as may be necessary, and such appointments shall be made as soon as conveniently may be after the issue of the writ for the election, and notice of such appointment and of the location of his office shall be published in all newspapers having a general circulation in the electoral district. 1951, c. 93, s. 67.

Oath by  
revising  
officer except  
the judge

**67.** Every revising officer shall, unless he is a judge, be sworn to the faithful and impartial performance of his duties. 1951, c. 93, s. 68.

Additional  
revising  
officers may  
be ap-  
pointed

**68.** If at any time the number of applications for registration and revision of the list at any registration and revising office is such that the revising officers cannot promptly dispose of them, the board may appoint additional revising officers or may provide clerical assistance for the revising officers acting thereat. 1951, c. 93, s. 69.

Board may  
replace  
revising  
officers

**69.** The board may at any time relieve any revising officer of his duties and appoint another to perform them, and any revising officer so relieved shall forthwith upon receiving



written notice from the board of the appointment of a substitute for him deliver to the board or to such other person as the board may appoint all lists, notices and other papers in his possession as revising officer. 1951, c. 93, s. 70.

**70.** As soon as conveniently may be after the issue of a writ for the holding of an election to fill a vacancy in the Assembly, or after the dissolution or expiry of the Assembly, the Chief Election Officer shall fix the times and the board shall fix general locations at which sittings shall be held by the revising officers for the purpose of the registration of voters and revising the lists for urban polling subdivisions compiled and certified by the enumerators. 1951, c. 93, s. 71.

**71.** The returning officer shall select convenient places within the general locations fixed by the board in which the revising officers will sit, which places shall be properly furnished, lighted and heated, and he shall report thereon to the board. 1951, c. 93, s. 72.

**72.** The returning officer shall furnish to the revising officers the original lists for each urban polling subdivision as prepared and certified by the enumerators. 1951, c. 93, s. 73.

**73.** The board shall cause a notice of the sittings of the revising officers to be printed in such form as may be prescribed by the board, and such notice shall be posted at least five days before the sittings in adequate numbers and in conspicuous places throughout the areas affected, and where possible, published in all newspapers having a general circulation in the electoral district, and before 9 a.m. on the day of registration and revision an additional five copies shall be posted up outside of and near to the place of registration and revision. 1951, c. 93, s. 74.

**74.—(1)** Any person resident in any urban polling subdivision included in the registration district, whose name has not been included or has been incorrectly included by the enumerator in the list of voters for such subdivision, may apply at the place of registration for the registration district to have his name included in the list or to cause the entry in the list relating to him to be corrected.

**(2)** Every person so applying shall sign an application (Form 26) in which all the information required by the form shall be sufficiently filled in, either by the applicant personally or by a revising officer at the applicant's request, and before entering the name of the person in the list of voters or before correcting the list, as the case may require, the revising

officer shall satisfy himself that the applicant understands the effect of the statements in the application and that he is entitled to have his name included in the list or to have the list corrected pursuant to his request.

Absence through sickness, etc., relative or employer may appear

(3) If any person who claims to be entitled to have his name included in the list of voters or to have the entry relating to him therein corrected is unable personally to attend the registration and revising sittings by reason of sickness, disability, or necessary, temporary, unavoidable and *bona fide* absence from the municipality in which the registration area is included, then a relative of such person by blood or marriage or his employer may, if he has a sufficient knowledge of the facts, appear before the revising officer and complete the application (Form 26) to have such person's name included in the list of voters or to have the list corrected, as the case may be.

Evidence to be produced by relative or employer

(4) If the relative by blood or marriage or the employer so appearing substantiates,

- (a) the cause for the non-appearance of the person immediately concerned to be as set out in subsection 3;
- (b) the existence of a relationship by blood or marriage or the relationship of employer and employee; and
- (c) the facts relevant to the qualification, name, address or identity of the person immediately concerned so far as such facts are requisite to cause the name of the person to be included in the list, or to cause the list to be corrected, as the case may be,

the revising officer may act upon the application as if the person immediately concerned had appeared in person before him.

Re-enumeration of applicants in certain cases

(5) At any time prior to the sitting of the revising officers in any registration and revising district any voter whose name is omitted from the list as prepared by the enumerators, or any person who has knowledge of the fact that the name or names of any other voter or voters have been so omitted, may so inform the returning officer in writing stating the names and addresses of the voters so omitted.

Idem

(6) The returning officer shall, prior to the last day of the revision, cause an enumeration to be made of all voters of whom such notice has been given, and the enumerators shall visit the addresses and enumerate such voters and any other voters at those addresses whose names have been omitted from the list, and the returning officer shall transmit to the revising officer the names of such voters so enumerated and the revising officer shall, if there is no valid objection, add such names to the list.

(7) The returning officer shall appoint enumerators for the purposes of subsection 6 from among those who have already acted as such for the pending election, or if necessary shall appoint others in the manner provided by section 60. 1951, c. 93, s. 75.

Enumera-  
tors

**75.**—(1) Within four days after the posting up of the urban polling subdivision lists by the enumerators as provided in section 62, any person whose name has been entered on any of the urban polling subdivision lists in the electoral district may file with the proper clerk of the revising officer appointed for the urban polling subdivision a complaint that there has been included in the list as compiled by the enumerators the name or names of persons who should not be entered therein, and such complaint shall be prepared according to Form 27 and shall set out the reason for complaining and shall be accompanied by an affidavit of the complainant (Form 28), and the same shall be filed with such clerk of the proper revising officer not later than the first day appointed for the sittings of the revising officer.

Procedure  
where com-  
plaint made  
for wrong-  
ful entry  
on list

(2) Upon such complaint and affidavit being received by the clerk of the revising officer, he shall forthwith, and not later than the first day of the sittings of the revising officer, transmit, by registered mail addressed to the person objected to at the address mentioned in the list of voters as compiled by the enumerator, a notice (Form 29) requiring such person to appear in person or by representative before the revising officer on a day to be named in the notice to answer the complaint made.

Revising  
officer's  
clerk to  
notify voter  
of com-  
plaint

(3) In the case of any objection or complaint to the inclusion of a name in the list of voters of which notice has been given under subsection 2, the onus of establishing the validity of the objection rests upon the objecting person and shall be discharged either by proper evidence that the name of the person objected to should not be included in the list of voters, or by the production of a post office certificate of the registration of the package containing the notice of objection and by the production of the package itself having upon it a record by the post office indicating that it could not be delivered. 1951, c. 93, s. 76.

Procedure

**76.**—(1) Any person whose name appears in the list of voters for any urban polling subdivision in the electoral district or the registration district for which the revising officer has been appointed may on the first day of the sittings only make oath before the revising officer giving particulars,

Objections  
by persons  
on list to  
names  
appearing  
thereon

(a) of the list upon which his name appears;



- (b) stating that he is qualified to vote in the electoral or registration district; and
- (c) alleging the death, disqualification, or real residence and appearance on another list, of any person on the list for any of the urban polling subdivisions in the registration district for which the revising officer has been appointed.

Notice to  
person  
objected to

(2) The revising officer, upon such oath being made before him (Form 30), shall cause to be transmitted by registered mail addressed to the person objected to at the address mentioned in the list of voters and also at such other address, if any, as may be mentioned in the oath aforesaid, a notice (Form 29) requiring such person to appear in person or by his representative before him or any revising officer who is on duty at such revising office, on a day to be named in the notice, to establish his qualification as a voter, and the revising officer shall transmit, with each copy of the notice, a copy of the oath of the voter making the objection.

Procedure  
dealing with  
objections  
to name  
on list

(3) In the case of any objections made on oath before a revising officer under this section, of which notice has been properly given by a revising officer under subsection 2, the onus of establishing his right to have his name included in the list of voters is upon the person objected to, and if the person does not, during the sittings on the day for which notice of the hearing of the objection has been given, appear before the revising officer, personally or by representative, or, being present or represented, fails to satisfy the revising officer of his right to have his name retained on the list, the revising officer shall strike his name therefrom whether or not the voter by whom the objection was made has appeared before him. 1951, c. 93, s. 77.

Jurisdiction  
of revising  
officer

**77.** At the sittings for revision, the revising officer has jurisdiction to dispose and shall dispose,

- (a) of applications made by persons to have their names included in the lists, or to have the lists corrected;
- (b) of applications by relatives or employers;
- (c) of objections to the addition to the lists of the names of voters enumerated under subsection 6 of section 74;
- (d) of complaints filed under section 75 with any clerk of any revising officer, notice of which has been given to the party objected to as provided in that section; and

- (e) of objections on oath made before a revising officer under section 76 of which a revising officer has given notice as provided in that section. 1951, c. 93, s. 78; 1954, c. 102, s. 13.

**78.** For the due performance of his duty, a revising officer appointed under this Part has all the powers of a judge sitting for the hearing of complaints under Part I. 1951, c. 93, s. 79. Powers of revising officer

**79.** If it appears to the revising officer that the applicant understands the effect of the statements in the application (Form 26) and that the applicant's name should be included in the list or that the amendment thereof which he requests should be made, he shall certify accordingly by signing the application. 1951, c. 93, s. 80. Revising officer to enter name when satisfied applicant is qualified

**80.** If, in the opinion of the revising officer, the statements made by the applicant in his application do not show that the applicant is entitled to have his name included in the list or to have the list amended as requested, he shall advise the applicant that his application is refused, stating the reasons for such refusal, which reasons he shall endorse on the application form. 1951, c. 93, s. 81. Procedure where application refused

**81.** The name of a person shall not be removed from the enumerators' list by the revising officer unless he is satisfied on oath that due notice of complaint has been given to the person or that the person could not be found and the registered notice could not be delivered. 1951, c. 93, s. 82. Name not to be struck off without notice

**82.** The revising officer shall not remove any name from the enumerators' list or make any other changes therein except upon evidence under oath. 1951, c. 93, s. 83. Evidence required

**83.** During the sittings, each revising officer shall enter in the proper urban polling subdivision list in his registration district the names, addresses and occupations of such voters as are added by him to the list and such other corrections as are made, and shall certify each amendment of the list so made by appending thereto his initials and a note of the date of the amendment. 1951, c. 93, s. 84. Additions and corrections to be entered on the proper list

**84.—(1)** Forthwith after the conclusion of the sittings, the revising officer shall certify the list of each urban polling subdivision as finally revised by him, and shall as soon as possible transmit the list together with a certified statement of changes and additions to the returning officer. Transmission of lists to returning officer

**(2)** The lists as so revised and certified together with the statements of changes and additions are the proper lists to be Lists so revised to be lists for the election

used in preparing the urban polling lists for the election. 1951, c. 93, s. 85.

Representatives of recognized political interests may be present

**85.** The revising officers shall permit to be present in the place of registration and revision not more than two representatives of each recognized and opposed political interest in the electoral district, but no such representative, except with the permission of the revising officer, has any right to take part or intervene in the proceedings. 1951, c. 93, s. 86.

Interpreter may be engaged

**86.** When the language of the applicant is not understood by the revising officer, an interpreter may be sworn and may act; but in the event of inability to secure an interpreter, the application shall, for the time being, be refused. 1951, c. 93, s. 87.

Revising officer a conservator of the peace

**87.** Every revising officer, while sitting as such, has and may exercise the powers of a justice of the peace, and he may appoint, if necessary, constables for the maintenance of order and for the arrest and detention of persons who are guilty of the personation of others, or of attempting to personate others, or who impede or improperly interrupt his proceedings or create a disturbance. 1951, c. 93, s. 88.

Printed copies of statements of changes

**88.**—(1) The returning officer, forthwith upon receipt of the statements of changes and additions from the revising officers, shall cause them to be printed and such printing shall be completed not later than the eighth day before polling day.

Certification of true copies of statement

(2) Every printed copy of the statement shall have printed thereon a certificate of the returning officer that such copy is a true copy of the statement as prepared by the revising officer. 1951, c. 93, s. 89.

Printed copies to be furnished candidates

**89.** The returning officer shall furnish twelve printed copies of the statement of changes and additions for each urban polling subdivision to each candidate. 1951, c. 93, s. 90.

Printed lists with statement to be official list

**90.** The printed list together with the statement of changes and additions for the urban polling subdivision as so certified by the returning officer is the official list for the urban polling subdivision to which it relates, but if any material difference between its contents and the contents of the list as finally revised by the revising officer is discovered after the completion of the printing, the returning officer shall furnish a certificate of the error to the deputy returning officer and to each candidate, and the printed list and statement shall for all purposes be taken to have been amended in accordance with the certificate. 1951, c. 93, s. 91.



PROVINCIAL LISTS IN  
RURAL POLLING SUBDIVISIONS

**91.** Every returning officer, forthwith after receipt of a writ of election, shall appoint in writing (Form 31) for each rural polling subdivision in the electoral district one person to be the enumerator of the voters in such subdivision and to prepare a list thereof, and shall require each such person to take the oath (Form 32). 1951, c. 93, s. 92. <sup>Enumerator, appointment</sup>

**92.**—(1) The enumerator of each rural polling subdivision shall prepare a list (Form 24) under headings of names of streets where possible and in order of street numbers in subdivisions where street numbering is in effect, and in alphabetical order in all other subdivisions, of all persons in the polling subdivision who are qualified to vote at the election. 1951, c. 93, s. 94 (1); 1954, c. 102, s. 15 (1). <sup>Preliminary list</sup>

(2) Such list shall be prepared from such information as the enumerator may be able to secure by means of, <sup>Idem</sup>

- (a) a house-to-house canvass;
- (b) reference to the voters' list prepared pursuant to Part I, if any; and
- (c) such other sources as may be available to him. 1951, c. 93, s. 94 (2); 1954, c. 102, s. 15 (2).

**93.**—(1) Every enumerator shall exercise the utmost care in the preparation of the list of electors for the rural polling subdivision for which he has been appointed. <sup>Enumerator to exercise care</sup>

(2) He shall take all necessary precautions to ensure that his list, when complete, contains the name, address and occupation of every person who is qualified as a voter in the polling subdivision and that it does not contain the name of any person who is not so qualified. 1951, c. 93, s. 95. <sup>Idem</sup>

**94.**—(1) The enumerator of each rural polling subdivision, immediately after the completion of the list and not later than four days from the date of his appointment, shall certify such list on oath and deliver it to the returning officer, and shall prepare at least six copies thereof so certified and shall forthwith post up one copy in the office of the returning officer, for public inspection, and the returning officer shall distribute one copy to each candidate. 1951, c. 93, s. 96 (1); 1954, c. 102, s. 16. <sup>Certification and posting up of preliminary list</sup>

(2) The returning officer, forthwith upon receipt of the list from the enumerator shall cause it to be printed and shall furnish twelve printed copies of the list for each rural polling subdivision to each candidate. 1951, c. 93, s. 96 (2). <sup>Printing and distribution of preliminary list</sup>

## GENERAL

Distribution  
of lists to  
candidates

**95.** Any copies of lists or of statements of changes or additions in any list required by this Part to be distributed to the candidates may be distributed to the official agents of the candidates who have been nominated as such at the pending election, if any. 1951, c. 93, s. 105.

Offence by  
enumerator

**96.** Every enumerator who wilfully neglects, omits or refuses to perform any of the duties imposed on him by this Act or the regulations is guilty of an offence and on summary conviction is liable to a fine of \$200, and in addition forfeits his right to payment for any services already rendered. 1951, c. 93, s. 106.

Replace-  
ment of  
enumerator

**97.** The returning officer may at any time replace any enumerator appointed by him by appointing another enumerator to act in his place and stead and, upon receiving notice in writing from the returning officer of his replacement, the enumerator so replaced shall forthwith deliver to the returning officer his credentials and all papers and materials supplied to him. 1951, c. 93, s. 107.

## REGULATIONS

Regulations

**98.** The Lieutenant Governor in Council may make regulations,

- (a) prescribing the forms, notices and other documents to be used for the purposes of this Part;
- (b) respecting the duties of the clerk of the board, the enumerators and all other clerks and officers appointed or acting under this Part;
- (c) respecting the books and other records to be kept of the proceedings of the board, the enumerators and the revising officers;
- (d) fixing the fees to be payable to the board, the enumerators and the revising officers and clerks for services performed, the witness fees and costs, if any, the costs of any premises used for the purpose of registration or revision, and the cost of printing the lists, and any other costs incurred in connection therewith, and prescribing the manner in which and by whom they shall be borne and paid;
- (e) fixing the times in connection with the preparation of any list where no other provision in this Part has been made;

- (f) for giving directions as to any matter in connection with the preparation or revision of lists under this Part that is not expressly provided for therein; and
- (g) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Part. 1951, c. 93, s. 108.

## SCHEDULE

## FORM 1

*The Voters' Lists Act**Sections 7 (1), 8 (1)*

## FORM OF VOTERS' LIST

Voters' List, 19..... of.....  
(municipality)

## SCHEDULE OF POST OFFICES

1. North Augusta. 3. Wright's Corners.  
2. Maitland 4. Prescott.

POLLING SUBDIVISION NO. 1, COMPRISING, ETC.:—(*Giving the Limits*)

Mun. El. Only	Name	Condition	Lot or Street Number	Concession Number or Street Name		Post Office Address	Jurors' Col.	If Sep. School Sup-orter
M.E.	Kelly, Patrick.....	M	1	Spruce St.	Owner	1		S
	Phillips, Frederick	B	3	" "	Tenant	1		
	Murray, Alma.....	MW	5	" "	M.F.N.C.	1		
	Welland, John.....	B	7	" "	Owner	1	J	

(or where council has directed alphabetical arrangement)

M.E.	Anderson, Henry	M	N W ½ 6	3	Owner	1		S
	Andrews, John.....	B	W 14 acr. 8	1	F.S.	4		
	Archer, Mary.....	MW	2	9	M.F.N.C.	4		S
	Burton, Samuel....	W'er	E ½ 17	4	See Subdiv.			
					No.	2		
	Clark, Edith.....	W	W ½ 17	4	Tenant	5		

POLLING SUBDIVISION NO. 2, COMPRISING, ETC.:—(*Giving the Limits*)

(NOTE: In the Column headed "Condition" insert the initial letter or letters "M" (Married); "M.W." (Married Woman); "S" (Spinster); "W" (Widow); "W'er" (Widower); "B" (Bachelor), according to the circumstances.

In the Column headed "Mun. El. Only" insert the letters "M.E." opposite the name of each person who is entitled to vote at municipal elections but not at provincial elections.)



## FORM 2

*The Voters' Lists Act**Section 10 (1)*

## CERTIFICATE TO BE ENDORSED ON THE VOTERS' LIST

I, A. B., Clerk of the.....of....., in the County of....., certify that the within (or above) list is a correct list of all persons appearing by the assessment roll to be entitled to vote at provincial and municipal elections in this municipality and of all persons appearing by the assessment roll to be entitled to vote at municipal elections only in this municipality, and that the letters "M.E." have been inserted in the proper column opposite the names of all persons appearing by the assessment roll to be voters at municipal elections only, and I hereby call upon all voters to take immediate proceedings to have any omissions or errors corrected according to law.

Dated this.....day of....., 19.....

A. B.,  
Clerk of.....

1954, c. 102, s. 18 (1).

## FORM 3

*The Voters' Lists Act**Section 12*

## CLERK'S NOTICE OF FIRST POSTING OF VOTERS' LIST

Voters' List, 19....., of....., County of.....

Notice is hereby given that I have complied with section 9 of *The Voters' Lists Act*, and that I have posted up at my office at....., on the.....day of....., 19....., the list of all persons entitled to vote in the municipality at municipal elections and that such list remains there for inspection.

And I hereby call upon all voters to take immediate proceedings to have any omissions or errors corrected according to law, the last day for appeal being the.....day of....., 19.....

Dated this.....day of....., 19.....

Clerk of.....

1951, c. 93, Sched., Form 4.

## FORM 4

*The Voters' Lists Act**Section 13 (5)*AFFIDAVIT IN SUPPORT OF APPLICATION FOR NAME TO BE  
PLACED ON REVISED LIST

I, ....., of the.....of....., in the County  
of....., make oath and say:

1. That I am (or that.....is to the best of my personal  
knowledge) a British subject of the full age of twenty-one years, and not a  
citizen or a subject of any foreign country.

2. That on the.....day of....., 19..... (Fill in the  
last day for making complaint to the county judge), I will have (or.....  
.....will have) resided in Canada for the twelve months next pre-  
ceding that day and that I am (or.....is) a resident of  
this municipality.

3. That I am (or.....is) entitled to be entered on the  
voters' list for the.....of.....

4. That I am not (or that.....is not) disqualified under  
*The Election Act*, or otherwise by law prohibited from voting at elections  
for the Legislative Assembly.

Sworn before me at the..... }  
of.....in the County of..... }  
this.....day of....., 19..... }

*A Commissioner, etc.*

1951, c. 93, Sched., Form 5.

## FORM 5

*Sections 14 (1), 16 (1)**The Voters' Lists Act*

## NOTICE OF COMPLAINT OR APPEAL

Polling Subdivision No..... Ward No.....of.....  
(municipality)

(This notice must not apply to the lists for more than one polling subdivision)

To....., Clerk of the.....for the  
.....of.....

I (Insert full name—No initials), a person entered or entitled to be  
entered on the voters' list in the above-mentioned municipality in the  
electoral district of....., complain that the persons  
whose names are set forth in List No. 1, are entitled to be on the voters'  
list for the above-mentioned polling subdivisions, but are omitted from  
the list; that the persons whose names are set forth in List No. 2 are  
incorrectly described in the list; that the persons whose names are set

forth in List No. 3 ought not to have been entered on the voters' list for the above-mentioned polling subdivision; and take notice that I intend to apply to the Revising Officer in respect thereof pursuant to the statute in that behalf.

(Signed).....

Dated this.....day of....., 19.....

### LIST No. 1

(Showing voters omitted from or not entered on the Voters' List)

NAMES OF PERSONS	ADDRESS	CONDITION (Here write letters: "M." meaning Married; "B." meaning Bachelor; "W'er" meaning Widower; "M.W." meaning Married Woman; "S." meaning Spinster; "W." meaning Widow; "S.F." meaning Soldier's Franchise.)
<i>Insert full name and do not use initials.</i>		

### LIST No. 2

(Showing persons whose names are wrongly stated in Voters' List)

NAMES OF PERSONS	ADDRESS AS STATED IN LIST	The Errors in Statement upon Voters' List
<i>Insert name as entered on list.</i>		

### LIST No. 3

(Showing persons whose names ought not to be on Voters' List)

NAMES OF PERSONS	ADDRESS AS STATED IN LIST	Grounds on Which Such Persons' Names Ought Not to be on the Voters' List
<i>Insert name as entered on list.</i>		



*The Voters' Lists Act*

## VOTERS' NOTICE OF COMPLAINT

*(For use by individual complainants)*

Electoral District of.....  
 Complaint as to Voters' List for Polling Subdivision No.....  
 in the.....of.....  
 (municipality)

I,....., a person entered or  
 (full name of complainant)  
 entitled to be entered on a voters' list in the above-mentioned municipality  
 and electoral district, hereby complain that my name has been omitted  
 from the list for the above polling subdivision, and appeal to have it  
 entered thereon.

I hereby state and declare that

- (1) I am a British subject by birth.  
*(If naturalized, cross out "birth", write in "naturalization" and  
 give date of your certificate. Naturalized citizens must bring their  
 certificate of naturalization with them when their appeals are to be  
 heard.)*
- (2) My occupation is.....  
*(In case of women, give occupation and also state whether married,  
 widowed or single.)*
- (3) I have resided in Canada since.....
- (4) I have been living at.....  
*(Give present street address, or lot and concession number.)*  
 since.....  
*(If you have moved within the last five months, give each address at  
 which you have lived in that period and date of moving from each.)*  
 .....  
 .....

- (5) I am over twenty-one years of age.

And take Notice that I intend to apply to the judge in respect thereof,  
 pursuant to the statute in that behalf.

Dated this.....day of....., 19.....

*(Complainant sign here)*

1951, c. 93, Sched., Form 6.

## FORM 6

*The Voters' Lists Act**Section 16 (3)*

## CLERK'S REPORT IN CASE OF APPEALS AND COMPLAINTS TO THE JUDGE

To His Honour the Judge of the County Court of the County of.....

The Clerk of the.....of.....reports that the  
 several persons mentioned in column 1 of the subjoined schedule, and no  
 others, have given to him written notice complaining of errors or omissions  
 in the voters' list for the municipality for 19....., on the grounds mentioned  
 in column 2 of the schedule, and that such notices were received respec-  
 tively at the dates set down in column 3 of the schedule.

Clerk of.....

*Schedule*

1	2	3
NAME OF COMPLAINANT	ERRORS OR OMISSIONS COMPLAINED OF	DATE WHEN NOTICE OF COM- PLAINT RECEIVED BY CLERK

1951, c. 93, Sched., Form 7.

## FORM 7

*The Voters' Lists Act**Section 16 (3)*JUDGE'S ORDER APPOINTING COURT FOR HEARING COMPLAINTS AND  
APPEALS

To....., Clerk of the.....of.....

I appoint the.....of....., 19....., at the  
hour of.....at.....in the said county, for holding a  
court to hear and determine the several complaints of errors and omissions  
in the voters' list for the.....of.....  
for 19.....

I direct that the assessor for the municipality shall attend the sittings  
of the court, and that the assessment roll and the minutes of the Court  
of Revision for the municipality for 19..... be produced thereat.

Dated this.....day of....., 19.....

*Judge C. C.*

1951, c. 93, Sched., Form 8; 1954, c. 102, s. 18 (2).

## FORM 8

*The Voters' Lists Act**Section 16 (3)*NOTICE TO BE POSTED BY CLERK IN HIS OFFICE WITH LIST OF  
COMPLAINTS

Notice is hereby given that a court will be held, pursuant to *The Voters'  
Lists Act*, at....., on the.....day of  
....., 19....., at.....o'clock,.....for hearing  
all complaints made against the voters' list for the.....  
of.....for 19....., particulars of which complaints are shown  
in the subjoined schedule.

Dated this.....day of....., 19.....

*Clerk of.....*

*Schedule*

NAME OF PARTY COMPLAINING	NAME OF PERSON IN RESPECT TO WHOM APPEAL WAS MADE	GROUND OF COMPLAINT ALLEGED

1951, c. 93, Sched., Form 9; 1954, c. 102, s. 18 (3).

## FORM 9

*The Voters' Lists Act**Section 16 (3)*

## CLERK'S NOTICE TO PARTY COMPLAINING

You are hereby notified that a Court of Revision of the voters' list, 19....., for the.....of.....will be held by the Judge of the County Court of the County of.....at.....on the.....day of....., 19....., at.....o'clock at which court all complaints will be heard and determined. A list of complaints is posted up in.....; and take notice that the Judge may proceed to hear and determine the complaints whether the parties complaining appear or not.

By order of His Honour the Judge of the County Court of the County of.....

Dated this.....day of....., 19.....

To.....  
A person complaining of error in the voters' list.

*Clerk of the Municipality, and  
.....of the Court*

1951, c. 93, Sched., Form 10; 1952, c. 112, s. 3 (1); 1954, c. 102, s. 18 (4).

## FORM 10

*The Voters' Lists Act**Section 16 (3)*

## CLERK'S NOTICE TO PARTY COMPLAINED AGAINST

You are hereby notified that a Court of Revision of the voters' list, 19....., for the.....of.....will be held by the



Judge of the County Court of the County of.....  
 at....., on the.....day of.....  
 at....., 19....., at..... o'clock, and that.....  
 has complained that your name..... is wrongly omitted  
 (or inserted as the case may be) in the voters' list because (*state matter  
 of complaint concisely*). A list of all complaints lodged is posted up in  
 .....; and take notice that the Judge may proceed to hear  
 and determine the complaint whether you appear or not.

By order of His Honour the Judge of the County Court of the County  
 of.....

To.....  
 Entered on voters' list.

*Clerk of the Municipality, and  
 .....of the Court*

1951, c. 93, Sched., Form 11; 1952, c. 112, s. 3 (2); 1954,  
 c. 102, s. 18 (5).

# FORM 11

## *The Voters' Lists Act*

### *Section 17 (1)*



### SUBPOENA

ONTARIO:

County of.....  
 To WIT:

ELIZABETH THE SECOND, by the Grace  
 of God of the United Kingdom, Canada  
 and Her other Realms and Territories,  
 Queen, Head of the Commonwealth,  
 Defender of the Faith.

To.....Greeting:

We command you, that, all excuses being laid aside, you be and appear  
 in your proper person before our Judge of our County Court of the County  
 of....., at....., on the.....day of.....  
 19....., at..... o'clock in the.....noon, at a court appointed,  
 and there and then to be held, for hearing complaints of errors in the  
 voters' list for 19.....of the.....of.....in the  
 County of....., and for revision of the voters' list, then  
 and there to testify to all and singular those things that you know in a  
 certain matter (or matters) of complaint made and now depending before  
 the Judge, under *The Voters' Lists Act*, where one.....is  
 complainant, and which complaint is to be tried at the court. (*And if the  
 witness is required to produce documents*) that you bring with you and  
 produce at such time and place (*Set out the documents to be produced*).  
 Herein fail not.

Witness, His Honour....., Judge of the Court at  
 .....the.....day of....., in the  
 year of our Lord 19.....

*Clerk*

1951, c. 93, Sched., Form 12.

## FORM 12

*The Voters' Lists Act**Section 20 (1)*-REPORT OF CLERK WHEN APPLYING FOR CERTIFICATE UNDER  
SECTION 20

To the Clerk of the Peace of the County of.....

I,....., Clerk of the.....of.....  
in the County of....., do hereby certify as follows:

That I did, on the.....day of....., 19.....,  
post up, and for a period of.....days next thereafter did keep posted  
up in a conspicuous place in my office at....., a correct printed  
copy of the voters' list for the.....of.....for  
19....., made in pursuance of *The Voters' Lists Act*, with the certificate  
required by section 10 of that Act endorsed thereon.

That I did also deliver or transmit by post the required number of  
similar printed copies of the list, with my certificate endorsed, to each of  
the persons entitled thereto under section 9 of that Act.

That I did on the.....day of....., 19.....,  
cause to be inserted in the newspaper called the ".....",  
published in.....the notice required by section 12 of that Act.

That no person gave me nor did I receive, within 14 days after I had  
posted up the list in my office, any written notice of complaint or intention  
to apply to the Judge in respect of the list.

And to the best of my knowledge and belief, I have complied with all  
the requirements of that Act, so as to entitle me to apply for certified  
copies under section 20, and I now apply to you to certify the requisite  
number of the copies of the list received by you as being the revised list  
of voters for the municipality of the.....  
of.....for 19.....

Witness my hand this.....day of....., 19.....

Clerk of the.....of.....  
.....P.O.

1951, c. 93, Sched., Form 13; 1954, c. 102, s. 18 (6).

## FORM 13

*The Voters' Lists Act**Section 20 (1)*

## CERTIFICATE WHERE NO COMPLAINTS

A. B., Clerk of the.....of.....having  
certified under his hand that no complaints respecting the list of voters  
for the municipality, for the year 19....., had been received by him within  
14 days after the first posting up of the same; and on application of the  
Clerk:

I,....., Clerk of the Peace of the  
County of.....in pursuance of *The Voters' Lists Act*,

certify that the annexed printed list of voters, being one of the copies received by me from the clerk under section 9 of that Act, is the last revised list of persons entitled to vote at elections to the Assembly as well as at municipal elections, and of persons entitled to vote at municipal elections only in the municipality for the year 19.....

Given under my hand at.....,  
this.....day of....., 19.....

*Clerk of the Peace*

1951, c. 93, Sched., Form 14; 1954, c. 102, s. 18 (7).

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FORM 14

*The Voters' Lists Act*

*Section 21 (1)*

CERTIFICATE OF JUDGE WHEN COMPLAINTS HAVE BEEN MADE

I, ....., Judge of the County Court of the County of ..... pursuant to section 21 of *The Voters' Lists Act*, do hereby certify that the above (*as the case may be*) is a correct copy of the statement of changes made by me in the list of voters, for the year 19....., received by me from the Clerk of the.....of....., pursuant to that Act.

Dated this.....day of....., 19.....

*Judge*

1951, c. 93, Sched., Form 15.

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FORM 15

*The Voters' Lists Act*

*Section 21 (3)*

CERTIFICATE OF CLERK OF THE PEACE WHEN  
COMPLAINTS HAVE BEEN MADE

I, ....., Clerk of the Peace of the County of ..... pursuant to section 21 of *The Voters' Lists Act*, do hereby certify that the above (*as the case may be*) is a correct copy of the statement of changes made by His Honour, Judge....., Judge of the County Court of the County of....., in the list of voters for the year 19....., as certified by the Judge.

Dated this.....day of....., 19.....

*Clerk of the Peace*

1951, c. 93, Sched., Form 16; 1954, c. 102, s. 18 (8).

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FORM 16

*The Voters' Lists Act*

*Section 21 (4)*

CERTIFICATE OF JUDGE WHEN COMPLAINTS HAVE BEEN MADE

I, ....., Judge of the County Court of the County of ..... pursuant to subsection 4 of section 21 of *The Voters' Lists Act*, do hereby



certify that the above (*as the case may be*) is a correct copy of the list of voters for the year 19....., received by me from the clerk of the..... of....., according to my revision and correction thereof, pursuant to that Act.

Dated this.....day of....., 19.....

Judge

1951, c. 93, Sched., Form 17; 1954, c. 102, s. 18 (9).

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FORM 17

*The Voters' Lists Act*

*Section 35 (1)*

ORDER FOR PAYMENT OF COSTS

In the matter of the voters' list for the.....of....., 19....., on the complaint or appeal of *A. B.*, complaining of the name of *C. D.* being wrongly inserted in the said list (*or, as the case may be, stating in brief the nature of the complaint*).

On the proceedings taken before me I find and adjudge that the name of *C. D.* was rightly inserted in the list (*or was wrongly inserted in the list*), and order that *A. B.* do pay *C. D.* his costs occasioned by the complaint (*or and order that C. D. shall pay A. B. his costs incident to the complaint*) (*or and order that E. F., the assessor of the municipality, do pay A. B. his costs incident to the complaint*) (*or, as the case may be, stating it in brief*), which I fix at the sum of \$.....

Dated this.....day of....., 19.....

Judge

1951, c. 93, Sched., Form 18.

---

FORM 18

*The Voters' Lists Act*

*Section 38*

WRIT OF EXECUTION

In the.....Division Court in the County of.....

Whereas on the.....day of....., His Honour, ..... Judge of the County Court of the County of..... made his order that *C. D.* should pay to *A. B.*.....dollars as and for his costs sustained by him on the trial of a complaint against the voters' lists for the.....of.....in the County, for 19....., (*or as the case may be*) made and prosecuted under *The Voters' Lists Act*, which costs have been fixed and allowed at the said sum. You are hereby required to levy of the goods and chattels of *C. D.*, in the County (not exempt from execution) the said money and your lawful fees, so that you may have the same within 30 days from the date hereof and pay the same over to the Clerk of this Court for *A. B.*

Given under the seal of the Court, this.....day of....., 19.....

Clerk

To

Bailiff of the Court.

1951, c. 93, Sched., Form 19.

## FORM 19

*The Voters' Lists Act**Section 43 (1)*

## APPLICATION TO JUDGE AGAINST DELINQUENT CLERK

Pursuant to section 43 of *The Voters' Lists Act*, I, A. B., Clerk of the Peace of the County of....., (or a person entitled to be entered on the voters' list for the..... of....., for 19.....), hereby inform His Honour the Judge of the County Court of the said County, that C. D., Clerk of the..... of....., in the County, has failed to perform the duties required of him as such Clerk by that Act, in this, that he has not made out the list of voters for 19..... for the municipality, within 30 days after the return of the assessment roll thereof (or has not delivered or transmitted copies of the voters' list for the municipality, for 19....., to..... and..... and..... or to any of them) (or, as the case may be, stating in brief the duty not performed), according to the requirements of the Act; and I apply to you to enforce the performance of the duties aforesaid.

Dated at....., this.....day of....., 19.....

A. B.,

*Clerk of the Peace*

1951, c. 93, Sched., Form 20.

## FORM 20

*The Voters' Lists Act**Section 43 (3)*

## SUMMONS

In the matter of the voters' list for the.....of....., in the County of....., for 19.....

Whereas it appears by the application of A. B., the Clerk of the Peace of the County (or a person entitled to be entered on the list), made to me, in pursuance of *The Voters' Lists Act*, that you have failed to perform certain duties required of you by that Act, in this, that you have not made out the list of voters for 19.....for the municipality, within 30 days after the return of the assessment roll thereof (or as the case may be, following the application); and whereas A. B. has applied to me to enforce the performance of the duties aforesaid;

You are hereby required to appear before me at..... in....., on the.....day of....., 19....., at the hour of....., and produce before me the assessment roll for 19..... for the municipality, and any documents in your custody, power or control, relating to the assessment roll, or to the list aforesaid; and submit yourself for examination on oath.

Dated this.....day of....., 19.....

To C. D.,

Clerk of the.....of.....

*Judge*

1951, c. 93, Sched., Form 21.

## FORM 21

*The Voters' Lists Act**Section 57*

## APPOINTMENT OF ENUMERATOR IN URBAN POLLING SUBDIVISIONS

To (*insert name of enumerator*).

Whose address is (*insert address*).

And whose occupation is (*insert occupation*).

Know you that in pursuance of the authority given by section 57 of *The Voters' Lists Act*, I, the undersigned, in my capacity as Returning Officer for the Electoral District of ..... do hereby appoint you to be an enumerator for Polling Subdivision No. .... of the Electoral District, to act as such enumerator in accordance with Part III of *The Voters' Lists Act*, and to perform and have all the duties and powers imposed upon or exercisable by an enumerator under that Act.

Given under my hand this ..... day of ....., 19.....

.....  
*Returning Officer*

1951, c. 93, Sched., Form 22; 1954, c. 102, s. 18 (10).

## FORM 22

*The Voters' Lists Act**Section 57*

## OATH OF ENUMERATOR IN URBAN POLLING SUBDIVISION

I, the undersigned (*insert name of enumerator*) appointed an enumerator for Polling Subdivision No. .... of the Electoral District of ..... do solemnly swear (*or affirm*) that I will act faithfully in my capacity of enumerator, without partiality, fear, favour or affection, and in every respect according to law. So help me God.

.....  
*Enumerator*

1951, c. 93, Sched., Form 23; 1954, c. 102, s. 18 (11).

## FORM 23

*The Voters' Lists Act**Section 61 (1)*

## ENUMERATORS' RECORD FORM

The following name will appear on the list of persons entitled to vote at the forthcoming election of a member to the Assembly in Polling Sub-



division No. .... of the Electoral District of .....

Name.....

Address.....

Occupation.....

.....  
*Enumerator*.....  
*Enumerator*.....  
*Address*.....  
*Address*.....  
*Telephone Number*.....  
*Telephone Number*

1954, c. 102, s. 18 (12).

## FORM 24

*The Voters' Lists Act**Sections 61 (1), 62 (1), 92 (1)*

## VOTERS' LIST FORM FOR USE OF ENUMERATORS

Electoral District.....

Polling Subdivision No.....

Name of Street.....

No.	Name (family or surname first)	Occupation or addition	Residence Street and No.	Remarks
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(NOTE: *The list shall be made up in the order of street numbers where there is street numbering in effect and in alphabetical order elsewhere.*)

1951, c. 93, Sched., Form 25.

## FORM 25

*The Voters' Lists Act**Section 61 (4)*NOTICE OF INABILITY TO OBTAIN INFORMATION  
FOR PURPOSES OF REGISTRATION

Take notice that an enumerator attended at the premises known as ..... between 9 a.m. and 6 p.m. on ....., the ..... day of ....., and between 7 p.m. and 10 p.m. on ....., the ..... day of ....., but was unable to secure all the information necessary to ensure that he has obtained the names of all persons residing therein who may be qualified to vote at the forthcoming election of a member of the Assembly.

Information relating to the sittings of the revising officer at which any complaint that the name of a voter has been omitted from the voters' list

will be heard may be obtained at.....

.....  
*Enumerator*

.....  
*Enumerator*

.....  
*Address*

.....  
*Address*

.....  
*Telephone Number*

.....  
*Telephone Number*

1954, c. 102, s. 18 (13).

FORM 26

*The Voters' Lists Act*

*Sections 74 (2, 3), 79*

APPLICATION FOR REGISTRATION

Electoral District of.....

This application relates to

Surname.....

First name.....

Occupation.....

Address and residence.....

*Statement of Facts*

1. The above-named was resident in this Electoral District at (*set out his address*) at the date of the issue of the writ of election.
2. The said person is a British subject of the full age of 21 years.
3. The said person has been resident in Ontario during the last 12 months next preceding the day of polling.
4. The said person is not disqualified as a voter for any reason.
5. The said person is accordingly entitled to vote at the pending election of a member to serve in the Legislative Assembly, for this Electoral District, and is entitled to be entered on the Voters' List as a qualified voter.

*Declaration and Request of Applicant in Person*

I declare that I am the person above described and that the above statement of facts is correct, and I request that my name be entered in the list of voters for Polling Subdivision No.....in this Electoral District.

Dated this.....day of....., 19.....

.....  
*Signature of Applicant*

*Alternative Declaration and Request of Relative or Employer*

I declare that I am the (*insert "relative" or "employer"*) of the person above described, that I believe the above statement of facts to be correct,

and that the person above described is unable to attend in person for the purpose of making this application by reason of sickness or disability, or by reason of necessary, temporary, unavoidable and *bona fide* absence from the municipality.

I request that the name of the person above described be entered in the list of voters for Polling Subdivision No. .... in this Electoral District.

Dated this.....day of....., 19.....

.....  
*Signature of Employer or Relative*

1951, c. 93, Sched., Form 27.

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FORM 27

*The Voters' Lists Act*

*Section 75 (1)*

LIST OF COMPLAINTS OF PERSONS WRONGFULLY REGISTERED

Registrations Complained Against

Electoral District.....

Polling Subdivision No.....

Name (family or surname first)	Occupation or addition	Residence Street and No.	Reasons for Complaint
--------------------------------------	------------------------------	--------------------------------	-----------------------------

*And on the last page insert*

Dated this.....day of....., 19.....

.....  
*Signature of Complainant*

1951, c. 93, Sched., Form 28.

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FORM 28

*The Voters' Lists Act*

*Section 75 (1)*

AFFIDAVIT VERIFYING LIST OF COMPLAINTS OF PERSONS  
WRONGFULLY REGISTERED

Electoral District.....

Polling Subdivision No.....

I (insert name of complainant) of the.....of.....  
make oath and say:



1. I have been entered as a voter by the enumerators in Polling Subdivision No. .... for the Electoral District of ....., and my name appears on the list of voters prepared by the enumerator as entitled to vote at the pending election.

2. That there have been included in the list of voters prepared by the enumerator for Polling Subdivision No. .... in the Electoral District of ....., the persons whose names are set out in the attached list of complaints.

3. That I have good reason to believe and do verily believe that the said names should not appear upon the list of voters for Polling Subdivision No. .... in this Electoral District upon grounds which I will produce before the Revising Officer.

Sworn before me at the.....

of.....

in the County (or District) of.....

this.....day of.....

*Signature of Complainant*

*A Commissioner, etc.*

1951, c. 93, Sched., Form 29.

# FORM 29

## *The Voters' Lists Act*

### *Sections 75 (2), 76 (2)*

#### NOTICE TO VOTER OBJECTED TO

Electoral District.....

Polling Subdivision No.....

To (set out name, address and occupation of voter as in list compiled by the enumerator).

Take notice that a complaint has been filed with me alleging that your name entered upon the list of voters by the enumerator of Polling Subdivision No. .... in the Electoral District of ..... has been wrongly entered thereon, for the following reason (set out grounds of complaint).

If you desire to appear before the Revising Officer to substantiate your right to have your name remain on such list of voters, you must appear before the Revising Officer appointed to revise the list at his sitting held at (insert the date and hour and place of one of the days appointed for the sittings).

If you or your representative do not appear before the Revising Officer and establish before him your right to have your name remain on the said list and answer such complaint, the Revising Officer will proceed to hear under oath the evidence as to the complaint, and if satisfied that your name should not remain on such list, he shall strike the same therefrom.

This notice is given pursuant to section 75 (or 76) of *The Voters' Lists Act*.

Dated at....., this.....day of....., 19.....

*Clerk to Revising Officer*

1951, c. 93, Sched., Form 30.

## FORM 30

*The Voters' Lists Act**Section 76 (2)*

## AFFIDAVIT AS TO DISQUALIFICATION OF PERSON REGISTERED

Electoral District.....

Polling Subdivision No.....

I (insert the name of complainant) of the.....of.....  
make oath and say:

1. I have been entered as a voter by the enumerators in Polling Subdivision No.....for the Electoral District of.....and my name appears on the list of voters prepared by the said enumerators as entitled to vote at the pending election.

2. That there has been included in the list of voters prepared by the enumerators for Polling Subdivision No.....in the Electoral District of.....the name of.....as residing at.....

3. That I have good reason to believe and do verily believe that the said name should not appear upon such list because (*here state reason; see clause c of subsection 1 of section 76*) upon grounds which I will produce before the Revising Officer.

Sworn before me at the.....  
of.....  
in the County (or District) of.....  
this.....day of.....  
Signature of Complainant

.....  
A Commissioner, etc.

1951, c. 93, Sched., Form 31.

## FORM 31

*The Voters' Lists Act**Section 91*

## APPOINTMENT OF ENUMERATOR IN RURAL POLLING SUBDIVISIONS

To (insert name of enumerator).  
Whose address is (insert address).  
And whose occupation is (insert occupation).

Know you that in pursuance of the authority given by section 91 of *The Voters' Lists Act*, I, the undersigned, in my capacity as Returning Officer for the Electoral District of.....do hereby appoint you to be the enumerator for Polling Subdivision No.....of the Electoral District, to act as such enumerator in accordance with Part III of *The Voters' Lists Act*, and to perform and have all the duties and powers imposed upon or exercisable by an enumerator under that Act.

Given under my hand this.....day of....., 19.....

.....  
Returning Officer

1951, c. 93, Sched., Form 32.

## FORM 32

*The Voters' Lists Act**Section 91*

## OATH OF ENUMERATOR

I, the undersigned (*insert name of enumerator*) appointed the enumerator for Polling Subdivision No.....of the Electoral District of ....., do solemnly swear (*or affirm*) that I will act faithfully in my capacity of enumerator, without partiality, fear, favour or affection, and in every respect according to law. So help me God.

.....  
*Enumerator*

1951, c. 93, Sched., Form 33.

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